

REMARKS

Claims 1-21 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-3, 8, 12-13 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Slaughter et al. (U.S. Pat. No. 6,014,669, hereinafter "Slaughter") in view of Miller et al. (U.S. Pat. App. No. US 2003/0009761, hereinafter "Miller"). Claims 4 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Slaughter in view of Miller and further in view of Pullara et al. (U.S. Pat. App. No. US 2003/0014526, hereinafter "Pullara"). Claims 5-7 and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Slaughter in view of Miller, and further in view of Pullara and further in view of Glenn, II et al. (U.S. Pat. No. 5,852,724, hereinafter "Glenn"). Claims 9-10 and 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Slaughter in view of Miller and further in view of Ficco (U.S. Pat. App. No. US 2002/0178451, hereinafter "Ficco"). Claims 11 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Slaughter in view of Miller and further in view of Tennison et al. (U.S. Pat. App. No. US 2001/0027378, hereinafter "Tennison"). These rejections are respectfully traversed.

At the outset it is noted that Miller is cited as one of the references in all of the §103 rejections by the Examiner. At the time the invention was made, Miller and the present invention were "owned by the same person or subject to an obligation of

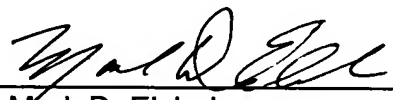
assignment to the same person," disqualifying Miller as a reference under §103(c). Documents evidencing these assignments have been attached at Exhibit A for the present invention and Exhibit B for the Miller reference. As such, the Examiner is respectfully requested to reconsider and withdraw all rejections citing Miller.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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